

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

Appeal No.188 of 2007
In
Writ Petition No.2185 of 2004

Shri Harinder S. Singh. .. Appellant
Vs.
M/s.Electro Pneumatic &
Hydraulics (I) Ltd. .. Respondent
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Shri R.D.Bhat for the appellant.

Shri C.U.Singh, Sr.Counsel, i/b M/s.Sanjay Udeshi &
Co. for the respondent.
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CORAM : R.M.S.KHANDEPARKAR &
D.G.KARNIK, JJ

DATED : 27TH APRIL, 2007

P.C.

. The learned counsel appearing for the respondent raised a preliminary objection about non maintainability of the appeal on the ground that the impugned order was obtained by consent. The learned advocate appearing for the appellant stated that the consent was given merely for the purpose of remand of the matter keeping all the issues open. However, in the impugned order, the remand has been made while recording certain findings on the disputed points. The said contention by the learned advocate for the

appellant has been seriously disputed by the learned advocate appearing for the respondent. Be that as it may, the learned advocate, at this stage, stated that the appellant wants to move for review of the impugned order and for that purpose wants to withdraw the appeal. We accordingly allow the appellant to withdraw the appeal and the appeal accordingly stands disposed of as withdrawn.

(R.M.S.KHANDEPARKAR, J)

(D.G.KARNIK, J)